

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

MAHMOUD ALILI,

Plaintiff,

vs.

FORA FUNDING LLC,

Defendant.

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Case No. 1:24-cv-399

Judge Jeffery P. Hopkins

ORDER ADOPTING REPORT AND RECOMMENDATION

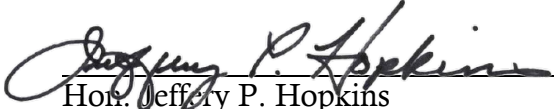
This matter is before the Court on the Report and Recommendation (Doc. 11) issued by Magistrate Judge Karen L. Litkovitz on January 2, 2025. The Magistrate Judge recommends that this case be dismissed with prejudice for want of prosecution pursuant to Fed. R. Civ. P. 41(b). No objections have been filed and the time for filing such objections under Fed. R. Civ. P. 72(b) has expired.

Having carefully reviewed the findings and conclusions of the Magistrate Judge and finding no clear error, the Court hereby **ADOPTS** the Report and Recommendation with slight modification. *See* Fed. R. Civ. P. 72 (advisory committee notes from 1983 amendment) (“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation”); *see e.g., Roane v. Warden of Corr. Reception Ctr.*, No. 2:22-cv-2768, 2022 WL 16535903, at *1 (S.D. Ohio Oct. 28, 2022). This Court agrees that the case should be dismissed for want of prosecution pursuant to Fed. R. Civ. P. 41(b) because the factors set forth in *Knoll v. AT&T*, 176 F.3d 359, 363 (6th Cir. 1999) weigh in favor of dismissal. However, because dismissal for failure to

prosecute is a “harsh sanction,” *Tung-Hsiung Wu v. T.W. Wang, Inc.*, 420 F.3d 641, 643 (6th Cir. 2005), the Court will dismiss the case without prejudice.

IT IS SO ORDERED.

Dated: February 13, 2025


Hon. Jeffrey P. Hopkins
United States District Judge